

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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HERBERT G. WILKINS and HANNIBLE  
J. WALKER,

Plaintiffs,

v.

DAVID MAHONEY, et al.

Defendants.

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ORDER

Case No. 16-cv-376-wmc

Plaintiffs Herbert G. Wilkins and Hannible J. Walker are proceeding in this lawsuit on claims against defendants related to the conditions of the Dane County Jail. On January 12, 2018, defendants filed their motion for summary judgment, and neither plaintiff responded by their deadline set for their opposition brief. As a result, on April 17, 2018, the court entered an order giving plaintiffs until May 1, 2018, to file a response to the motion for summary judgment, and warning them that if they fail to respond by the new deadline, “the court will dismiss this case with prejudice under Rule 41 of the Federal Rules of Civil Procedure for their failure to prosecute.” (Dkt. #47.) The court did not receive a response from either plaintiff by May 1, 2018.

On May 2, 2018, because the court learned that plaintiff Walker was transferred to WSPF and may not have received the court’s April 17 order, the court granted Walker an additional three weeks, until May 22, 2018, to respond to defendant’s motion for summary judgment. Now the May 22 deadline has passed, and the court has received nothing from either plaintiff. Accordingly, the court is dismissing this case with prejudice for plaintiffs’ failure to prosecute. *See James v. McDonald’s Corp.*, 417 F.3d 672, 681 (7th Cir. 2005).

ORDER

IT IS ORDERED that plaintiffs Herbert G. Wilkins and Hannible J. Walker claims are DISMISSED WITH PREJUDICE for failure to prosecute. The clerk of court is directed to enter judgment for defendants and close this case.

Entered this 30th day of May, 2018.

BY THE COURT:

/s/

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WILLIAM M. CONLEY  
District Judge